

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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INA KAPLAN,

Plaintiff,

-against-

HYATT HOTELS CORPORATION and HYATT ZIVA
ROSE HALL,

Defendants.
-----X

Case No.
1:23-cv-02598-MLB-ST

DECLARATION IN
OPPOSITION

Antonio Marano, Esq., an attorney duly authorized to practice law before the Courts of the State of New York and specifically before the United States District Court of the Eastern District of New York, affirms the following under penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I am associated with Dell & Dean, PLLC and I represent the Plaintiff in the above-captioned matter. I submit this declaration in opposition to the Defendants' motion for "Dismissal of the Plaintiff's complaint in its entirety, pursuant to FRCP § 12(b)(2), lack of personal jurisdiction; or (ii) alternatively, if personal jurisdiction over Defendants is found to exist, based on Ms. Kaplan's signed agreement containing a mandatory jurisdictional clause which obligates her to bring any claims asserted against Defendants in the Courts of Jamaica; or (iii) alternatively, under the common-law doctrine of forum non conveniens; and awarding Defendants such other relief as is just and proper."

2. As the Court is aware, the Plaintiff commenced the instant action asserting claims of negligence against Defendants, as the Plaintiff was seriously injured due to a slip and fall accident on April 19, 2022, while she was vacationing with her husband at the Hyatt Ziva Rose Hall Resort in Montego Bay, Jamaica.

3. Annexed hereto as exhibits are the following items:

- Exhibit “A” - Plaintiffs' Complaint;
- Exhibit “B” – Incident Report
- Exhibit “C” – Documentation from “Power Travel”, the travel agent located in

Nassau County, New York, who booked Plaintiff’ strip with the Defendants’ resort hotel.

4. The accompanying Memorandum of Law addresses the Plaintiff’s legal arguments in further detail.

WHEREFORE, it is respectfully requested that this Court deny the Defendant's motion for summary judgment in its entirety.

Dated:
Garden City, NY
July 6, 2023



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